

MINUTES
COMMISSION ON DISABILITY ISSUES
December 22, 2008

The meeting was called to order by Elizabeth McNally at 1:35 pm. Introductions were done. The agenda was accepted with one addition: New Business will be moved up on the agenda before old business. The minutes for November 2008 were accepted with one correction: Under the ADA statutes an entity may not call a rider after 8:00 pm to schedule a para – transit trip.

Attendance: Ronald Fulton, Alan Rigerman, Dr. Sam Kohlenberg, Damian Gregory, Elizabeth McNally, Denise Valkema, Marie Schmidt, Jose Martinez, John Miller, Marilyn Larrieu

Chairperson's Report: Ms. McNally reported that she had worked with Ilene Hyams of the ADA office to do a letter to the Board of County Commissioners. She and Denise Valkema, Chair of the Transportation committee, met with Rita Kane and Ruby Adams from transit. Transit has asked the CODI Transportation Committee to make recommendations on two issues: distance base fees and limitation of time based on fix route timed service. Ms. McNally reported that at the Transit Summit she spoke about the need for more accessibility in fixed route transit. She said that if Transit wants more people with disabilities to ride fix route then they need to be sure fix routes were usable for people with various disabilities. A question was asked about the cost of a STS trip; it was said that an STS trip cost the rider \$3.00 one way but cost the County \$25 to \$30 dollars one way. This year the STS budget was budgeted at 41 million but cost the county 43 million.

ACCESS/TRANSPORTATION COMMITTEE: Denise Valkema reported that she will call a committee meeting sometime towards the ends of January. She reported that transit is planning a public forum to be held in April to discuss fixed route issues. She also reported that transit is afraid that the new contract for para-transit service might come in at 25% over current budget and Transit simply can't afford that. Ilene Hyams was asked to email the Commission to find out who has been appointed as the new Transportation committee chair. CODI has been concerned about the lack of STS Oversight committee meetings. CODI members on the STS Taskforce would like to meet with the new chairman so they can speak about para-transit and RFP concerns.

NEW BUSINESS: Damian Gregory spoke about protocol at meetings. He said the meetings were getting out of control and he suggested that there be a limit on public input. There was some discussion. Denise Valkema stated that far too much time is wasted bring members who had been absent during prior discussions up to speed on an issue. It was said that people who miss meetings should read prior minutes or call Ilene Hyams at the ADA Office to catch up on information. There was more discussion but focus was lost again and after further discussion it was suggested that all issues should be discussed no longer than 20 minutes. However the Chair could extend the time for discussion.

Motion was made by Damian Gregory and seconded by Ronald Fulton to limit public participation to 3 minutes per issues and to limit discussion on all topics to 20 minutes. However the Chairperson may extend this time. This motion passed unanimously.

Damian Gregory then suggested that there be a record of who voted on an issue and that should be in the minutes. There was discussion and it was mentioned that attendance should be recorded on the minutes. It was suggested by Damian Gregory that even if an issue was voted on unanimously that individual member's vote should be in minutes.

Motion made by Damian Gregory and seconded by Ronald Fulton that all votes need to be record individually and an attendance is included on all minutes.

Ronal Fulton – yes, Alan Rigerman-yes, Damian Gregory – yes, Denise Valkema-yes, Jose Martinez-yes, Marie Schmidt –yes, John Miller – yes, Marilyn Larrieu –yes, Dr. Sam Kohlenberg – yes.

Ronal Fulton suggested that draft minutes go out to the public before they are official accepted by CODI. He also suggested that the ADA Office prepare a status report monthly. There was some discussion. Mr. Wood said that if he had gotten the draft minutes of the last meeting he would have been able to confront those people who voted to approve the ¾ mile plus 5 mile service area. Ilene Hyams said she has always been told the minutes need to be approved before they go to the public. It was suggested that Ilene Hyams see what other advisory boards do concerning their draft minutes. Heidi Johnson Wright will be pleased to give CODI an update on the activities of the ADA Office.

Transit staff came to CODI to speak about the new electronic signage which will be located at Metro Rail stations. This is audio as well as visual signage. Transit will set up a demonstration so CODI may give input on the system. There was some discussion on dark screen on light lettering, on flashing the information, and on advertisements. CODI was told that all the "programming" elements like font size, etc can be adjusted very easily. Transit received funding for this through federal DOT. There was discussion on why this was brought to CODI so late in the process. Ilene Hyams reminded CODI that this issue of making Metro Rail stations more accessible for people who are deaf or Hard of hearing had been discussed a number of times. There was much discussion and Transit repeatedly had to assure CODI that this was not late in coming to CODI. They just received the budget for this and no vendors have been awarded the contract for hardware. Ms. McNally thanked Transit for coming and said she looked forward to the demonstration. A question was asked about new trains and Transit mentioned that they hope to get new trains by 2012 but it is dependent of federal funding.

Alan Rigerman spoke. He complained that some accessible parking is 100 to 200 feet away from the door of a building. He also said he knew of people being denied access into buildings because they use service animals. Ilene Hyams said that service animal laws are in place. The best CODI members can do is tell people that they may call the Equal Opportunity Board or call the Department of Justice to put in a complaint. Also they can always ask a person to call the ADA office for contact information on the DOJ and EOB. It was said that CODI members should be able to educate the general public on this issue.

NOMINATING COMMITTEE: Ms. McNally reported that she had met with her nominating committee. The following is the slate the committee proposes: Damian Gregory for Chairperson, Denise Valkema for 1st chair, Jose Martinez for 2nd chair, and Jackson David for Secretary. At the January meeting, names will be accepted from the floor and then a vote will be taken.

Ilene Hyams spoke briefly about the CODI website. It was asked that the ADA office wait until the new officers were elected however Heidi Johnson Wright explained that the ADA office needed to do the web updates in early January. However in 6 months we could do an update and then we could denote the elected officers.

Mr. Wood brought up the issue of STS being removed from the Transit department to become a consumer – driven stand alone department. Ms. McNally said that was written in the regulation from the Federal Department of Transportation. Department of Transportation 49 CFR Part 27, 37, and 38 Transportation for Individuals with Disabilities Subpart F - Para-transit as a Complement to Fixed Route Service and Subpart G- Provision of Service.

Sec. **37.121** Requirement for comparable complementary para-transit service. (a) Except as provided in paragraph (c) of this section, each public entity operating a fixed route system shall provide para-transit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.

Mr. Wood said he would have a lawyer look into this. He also said he would like to be on CODI and Ilene Hyams said she would email him an application.

Mr. Wood also stated that Ronal Fulton was still being charged double for STS rides and he feels that it is illegal and CODI should deal with this immediately. Ms. McNally said that CODI is a policy advisory board and it isn't appropriate for CODI to intervene on personal matters. She suggests that Mr. Fulton continue to work with the Transit's office of Civil Rights and Ms. Kane.

Meeting was adjourned at 4:00 pm.